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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES, Plaintiff, vs. AGAPITO ASUNCION-DIAZ, Defendant.	CASE NO. 08 cr 0681-W NOTICE OF MOTION AND MOTIONS FOR: (1) DISCOVERY; (2) SUPPRESS STATEMENTS (3) LEAVE TO FILE FURTHER MOTIONS Date: April 23, 2008 Time: 9:00 a.m.

TO: PLAINTIFF UNITED STATES OF AMERICA AND ITS ATTORNEYS OF RECORD, KAREN HEWITT, U.S. ATTORNEY, AND CHRISTINA MCCALL, ASSISTANT U.S. ATTORNEY:

PLEASE TAKE NOTICE that at the above-referenced time in the above-referenced department, the defendant AGAPITO ASUNCION-DIAZ will ask the court to grant the following motions:

I.

MOTIONS

FOR DISCOVERY;

TO SUPPRESS STATEMENTS

FOR LEAVE TO FILE FURTHER MOTIONS;

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AGAPITO ASUNCION-DIAZ will base these motions on the following authority: the Fourth, Fifth, and Sixth Amendments to the U.S. Constitution; this notice of motions and motions; the points and authorities filed with this notice of motions and motions; and, any other matter that he may raise at the time of these motions.

Dated: April 9, 2008

Respectfully submitted,

/S/ John D. Kirby
John D. Kirby
Attorney for AGAPITO ASUNCION-DIAZ